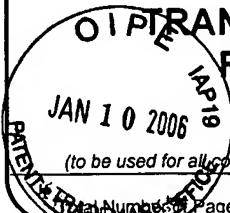
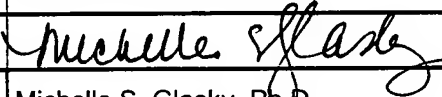


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|   |                      |                        |                                   |
|---|----------------------|------------------------|-----------------------------------|
|  | Application Number   | 10/724,453             |                                   |
|   | Filing Date          | 11/28/2003             |                                   |
|   | First Named Inventor | James C. Peacock III   |                                   |
|   | Art Unit             | 3731                   |                                   |
|   | Examiner Name        |                        |                                   |
| Number of Pages in This Submission  | 3                    | Attorney Docket Number | 53233-00007(formerly 51298-00007) |

| ENCLOSURES (Check all that apply)   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input checked="" type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1. Postage paid postcard. |
| Remarks _____   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm Name                                  | Preston Gates & Ellis LLP   |          |        |
| Signature                                  |  |          |        |
| Printed name                               | Michelle S. Glasky, Ph.D.   |          |        |
| Date                                       | 1/5/06  | Reg. No. | 54,124 |

| CERTIFICATE OF TRANSMISSION/MAILING   |             |      |        |
|---|-------------|------|--------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: |             |      |        |
| Signature   | Maria Nadal |      |        |
| Typed or printed name   | Maria Nadal | Date | 1/5/06 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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I hereby certify that on 1/5/06, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Maria Nadal*

Maria Nadal

**PATENT**

Applicant: James C Peacock III  
Serial No.: 10/724,453  
Filed: 11/28/2003  
Title: Medical Device with  
Porous Surface  
Containing Bioerodable  
Bioactive Composites  
and Related Methods

Examiner:  
Group Art Unit: 3731  
Docket No.: 53233-00007 (formerly  
51298-00007)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**STATUS INQUIRY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

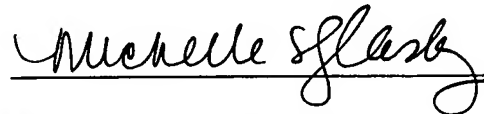
More than two (2) years have passed since the filing of this application on **November 28, 2003**. No communication has been received from the Patent and Trademark Office indicating action on this application. More than ten (10) months have passed since the filing of a Petition to Make Special filed on **March 24, 2005**.

Applicant has not yet received notice of the acceptance or denial of the Petition to Make Special and has not yet received an Office Action on the merits in the two years since this application was filed.

Kindly advise the undersigned of the present status of this application by checking the appropriate box on the next page. A stamped return-addressed envelope is provided.

Respectfully submitted,

Date: 1/5/2006



Michelle S. Glasky, Ph.D.  
Registration No. 54,124

**PRESTON GATES ELLIS, LLP**  
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Irvine, California 92614-7319  
Telephone: 949.253.0900  
Facsimile: 949.253.0902  
*Customer No. 45,200*



## STATUS INQUIRY REPLY

Application Serial No. **11/724,453** is currently

- ☐ Assigned to Group \_\_\_\_\_ and awaits:
  - ☐ Action by the Examiner
  - ☐ Applicant's response to the office action mailed \_\_\_\_\_
- ☐ Expected date of First Action \_\_\_\_\_.

### Status of Petition to Make Special

- ☐ Granted
- ☐ Denied